

RECEIVED

MAR 05 2001

WATER RIGHTS  
CEDAR CITY

MINUTES  
CEDAR VALLEY DISTRIBUTION SYSTEM  
February 21, 2001

Present: Lee Sim, Gertrudys Adkins, John S. Larsen, Kent Vest, Brent Jones, Harl E. Judd, Brent Hunter, Arlen Grimshaw, Sam Bauer, Debbie Bauer, Ted Nelson, Joe Melling, George Vandenberghe, George Rasmussen, RueGene Rollo, Ramon Prestwich, Jason Bradshaw, Nolan Anderson, Earl Kenney, Rod Brady, Lynn Nelson, Howard Jones, Russ Heap, Gary Howe, and LaRee Garfield.

This meeting was called to order and conducted by Chairman Brent Jones. He expressed appreciation to those present for their attendance at the meeting. He then asked Secretary LaRee Garfield to read the Minutes of the 2000 meeting. Following the reading of the Minutes, he called for a discussion of the same. Mr. Sim said that the assessment referred to in the Minutes as ".5 acre" should read "5 acre." With that correction, Joe moved for approval of the Minutes; Ramon seconded; Minutes approved as corrected.

Brent then asked Lee Sim to present the Financial Report for 2000. Mr. Sim reported that we started the year with \$9,252.56. We had total receipts of \$6,486.57, and our expenditures totaled \$6,213.15. As of December 31, 2000, we had a balance of \$9,525.98. All of our budget expenditures were within the budgeted amount. We had budgeted \$8,212.00 and expended \$6,213.15, leaving a balance of \$1,998.85. Our 2000 assessment was \$6,000.00. The expenses for preparing the annual commissioner's report and travel for the commissioner have not been requested.

Mr. Sim reported that the delinquencies assessed to number 58A, Eddie Devon Childs, and number 64B, Keith Smith, will be sent to the Attorney General if they are not paid by June 1. Ramon said that number 64B will change ownership, as Steve Sevy has purchased that property. Brent will let him know that the delinquent amount is due. Brent said that numbers 52 and 52B will also change. Brent will check on number 70A, Richard Edmunds. Ted Nelson moved for approval of the Financial Report; Joe seconded; motion carried.

Brent then asked Gary Rollo to present the Commissioner's Report. Gary said that because RueGene's health had deteriorated since last year, he had done most of the work on the report, with input from RueGene. Gary commented that a lot of the information pertaining to the location and ownership of the wells in the area was largely stored in the head of RueGene, and because of his health problems, most of this information was unavailable. However, the following information is included in the report: (1) Data supplied by the USGS relative to the Coal Creek flow and the Cedar Valley underground aquifer. This data also contains a history of both sources which gives us an idea of how 2000 was compared to history. (2) The weather data, measured at the Cedar City Airport and supplied by Utah State University, which contains averages for the period 1949 through 1999 for comparison. The year 2000 weather data was not received in time to be included in this report, but it will be included in the revised version which Gary will make available to anyone who wants it. (3) A Conversion Table which will allow the reader to convert to other units of measure.

The inventory, which is in the possession of the Commissioner, is as follows:

- One IBM electric typewriter, S/N 6548935
- One HP model 25 calculator, S/N 1502A02235
- One four drawer file cabinet
- One Hewlett Packard Vectra N2 4/66 Computer S/N 3432A12538
- One Hewlett Packard Video Graphic Color Display S/N 91 12J10847
- One Hewlett Packard Laserjet II Computer Printer.

Gary said that he has been doing the report on his computer with Microsoft Word, and he will give the next Commissioner the necessary program to do the report.

George Vandenberghe moved for approval of the Commissioner's report; Earl Kenney seconded; motion carried.

Mr. Sim suggested that since RueGene will not be able to continue as the Commissioner, we should plan the budget with that in mind. Gary said that, in terms of producing the report, it costs about \$100.00, so \$400.00 of the budget would be for labor. He further commented that once you do the report, \$400.00 is adequate for the time spent. Ramon moved that we leave the budget the same as last year; Lynn seconded; motion carried. Gary said that the USGS has a program which would take care of the data at the diversion point. Mr. Sim said that a data port could be installed and a computer would be needed to download the program. Gary commented that it would take care of a lot of problems with the division of water.

Brent then called for recommendations from those present for the position of Commissioner, since RueGene will no longer be able to serve. Russ Heap nominated Sam Bauer; Earl Kenney seconded. Ted nominated Gary Howe; Lynn seconded; Russ commented that Sam has been president of the East Extension for six years, and he has expressed an interest in serving as Commissioner. He then recommended that Sam be considered for this position. Gary Rollo reviewed the responsibilities of the Commissioner and estimated the time needed to do the job. Voting by secret ballot then took place, and Sam was elected. Brent said that we will recommend to the State that Sam serve as Commissioner, which, according to law, will be for a four year term.

Brent said that it was now necessary to elect three new directors and a Chairman. Gary Rollo moved that the directors and the Chairman remain the same; Howard Jones seconded; motion carried.

The directors are Bud Garfield, Paul Nelson, and Ramon Prestwich, with Brent Jones as the Chairman.

Gary Rollo asked what the State was doing with aerial photographing in the Beryl and Enterprise area. Mr. Sim said that they have mapped the valley and have been able to compile an accurate map of the valley. They have been evaluating the water declines, and it appears to be declining about one and one-half feet per year. They have found that they are irrigating about 27,000 acres out there, with probably about 1,000 acres being irrigated illegally. They will work this year to

identify who is over-pumping. They may be able to move into the Parowan valley in 2003, and the work there will take a few years, so Cedar Valley won't be done for awhile. In Milford, their over pumping has been greatly reduced, and their ground water level is coming up a little. Mr. Sim said that it takes about five weeks to compile the information after flying an area.

Jason Bradshaw with the NRCS asked about Senate Bill 51. Mr. Sim said that this bill is sponsored by Senator Leonard Blackham of Sanpete County. He said, at the present time, if a shareholder wants to do something different with their shares of water, such as moving it or changing use, they have to get the irrigation company to file the change application. Senator Blackham's bill would allow shareholders to file their own change application without company approval. Mr. Sim does not know the status of the bill at the present time. Joe said that the House has agreed to send the bill back to committee. Ramon asked about the partial forfeiture law, and Mr. Sim said that it has also been sent back to committee, so it probably won't be acted on this year.

Joe moved for adjournment; Lynn seconded; motion carried. Meeting adjourned at 8:10 p.m.